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Muskogee

SOCIAL ORGANIZATION

THE HOUSEHOLD

Geographical, economic, consanguineal, and religious factors all entered into the evolution of the Creek confederacy. They took concrete shape in the household, family, clan, phratry, clan moiety, town, and town moiety. 592

Women owned the houses and were permanent occupants, moving only as new houses were built for them or as the entire group to which they belonged migrated seasonally or permanently. These houses were also the homes (hûti) of the nearest male blood relations, those whom the women called "uncles," "brothers," and "sons." They, however, normally went to the homes of their wives as soon as they were married, besides spending much time in the public square and in the tcokofa. On the other hand, aged men, whose wives had died and whose children were grown up and scattered, might come back to the homes of their childhood, or, as frequently happened, they might spend their last years moving from house to house among the women of their own clan connection—never, however, among those of the clan connection of their wives. [562] [591] [888]

A typical Creek home would therefore consist of a man and woman, their children, one or more sons-in-law, some grandchildren, some aged or dependent individuals of the same clan group, and perhaps an orphan or two or one or more individuals taken in war. These last, though somewhat looked down upon at first, were rapidly assimilated with the tribe which had captured them and soon came to be appreciated in accordance with their proven merit. There was nothing that may properly be called a slave system among the Indians of the Southeast. Where polygamy existed the wives were generally own sisters and usually inhabited the same house, though there were cases in which a man had wives living in two or more distinct houses. [597] [567] [595]

THE FAMILY

GENERAL REMARKS

A fairly accurate clue to the Muskogee conception of the "family" is furnished by the terms of relationship. These consist of a number of root words, not now analyzable, and words formed from these which it is natural to assume are secondary in importance. Many terms are of the "classificatory" type, covering a number of individuals who to our way of thinking bear quite distinct relations to the speaker. Theorists have tried to maintain that this collective use preceded the special or individual use, but so far as the Muskogee are concerned the evidence points to the special application as having been, if not the original, at least the typical or primary. Secondary or derivative 601

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In stating that punishment was inflicted on the male offender by the women and on the female offender by the men Pope differs from all other writers.

Claiborne is also brief:

"If the woman violates her fidelity before the green-corn dance [among the Creeks] she is whipped severely, her ears cut off and tied to the sticks with which she was beaten and the sticks set up in the town square for the people to look at. They serve the man who seduced her in the same way. If the man clears out, and cannot be caught, the clansmen of the injured husband punish his nearest relation in his stead. If the woman be punished and not her seducer, or his relation, the clan of the woman inflict upon the leader of the party that punished her, the same punishment which she had endured, and there the thing ends."[53]

Romans dismisses the matter shortly:

"Adultery is punished by severe flagellations and loss of hair, nose, and ears, in both parties, if they are taken; sometimes they spare the nose of the man, and I have known some instances of white men having this misfortune and being obliged to apply to the Commissary, or the nearest Governor for a certificate to secure them from the imputation of the pillory."[54]

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Stiggins informs us that a man could take a second wife or concubine only with the consent of his first wife, and if he did not obtain it he was treated as an adulterer and punished as such by his wife's family,[55] and also that a widow or widower who married before the expiration of the prescribed period of mourning was so treated.[56] In this he is confirmed by Swan.[57]

The prerogative of the Wind clan mentioned by Hawkins is confirmed by Swan,[58] Stiggins,[59] and my informant Jackson Lewis. According to another authority the Wind clan could take up the clubs four times and the Bear clan could take them up twice,[60] but this may have been the case in some one town. Stiggins adds that the same privilege was enjoyed by members of the Wind clan in the case of minor offenses such as stealing.[61] There were no doubt many variations in the procedure, several of which are indicated in the accounts already given. In later times the penalty was probably softened. Mr. McCombs told me that for the first commission of adultery the man and woman were both beaten and the soft lobes

[53] Claiborne, Miss., vol. I, p. 492.
[54] Romans, Nat. Hist. E. and W. Fla., p. 98.
[55] See p. 373.
[56] See pp. 378-379.
[57] See p. 378.
[58] Swan in Schoolcraft, Ind. Tribes, vol. v, p. 269.
[59] Stiggins, Ms. Hist. Narr., p. 28.
[60] The agent Mitchell as reported by Gallatin in Trans. Am. Antiq. Soc., vol. II, p. 111, 1836.
[61] Stiggins, Ms., p. 28.

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585 singing the Epithalamium, they depart with friendly glad hearts, from the house of praise." [1]

Bossu's description of Alabama marriage customs is short.

"The savages are ordinarily satisfied with one wife, of whom they are excessively jealous. When a savage passes through a village and [836] has no wife, he hires a girl for a night or two, according to his fancy, and the parents find in that nothing to blame;[2] they disturb themselves very little about their girl, giving as a reason that she has the right to her own body; the daughters of the savages do not abuse this liberty at all; they find it for their interest to appear modest in order to be sought in marriage; but with regard to the married women they [581] say that by marriage they have sold their liberty, and therefore they ought not to have any other men besides their husband. On their side [the men] reserve the right to have many wives. . . .

"Marriage . . . is of a simple nature, and of no other form than mutual consent of the parties. The future husband makes presents of skins and provisions at the cabin of the father of his intended; after the meal there is a dance, they sing of the war exploits of the ancestors of the husband. Next day the oldest man presents the wife to the parents of her husband. That is the entire marriage ceremony. . . . Those who are good warriors and good hunters choose the prettiest girls; the others have only the rejected and the ugly." [3]

From Romans:

[595] "Polygamy is here allowed, though not generally made use of; they marry without much ceremony, seldom any more than to make some presents to the parents, and to have a feast or hearty regale at the hut of the wife's father; when once married the women are bound to the strictest observation of obedience and conjugal fidelity, [the Indians] saying that she that has once sold herself, can not any more dispose of any thing whatever; and of their wives they are the most unreasonably jealous of any nation under the sun." [4]

Says Bartram:

"Amongst some of the bands in the Muscogulge confederacy, I was informed the mystery is performed after the following manner. When a young man has fixed his affections, and is determined to marry, he takes a Cane or Reed, such as they stick down at the hills of their Bean vines for their support: with this (after having obtained her parents' or nearest relations' consent) he repairs to the habitation of his beloved, attended by his friends and associates, and in the presence of the wedding guests, he sticks his Reed down, upright in the ground; when soon after his sweet-heart comes forth with another

[1] Adair, Hist. Am. Inds., pp. 138-141.
[2] Girls were also offered to strangers as a mark of hospitality; cf. Bossu, Nouv. Voy., vol. II, p. 17.
[3] Bossu, Nouv. Voy., vol. II, pp. 19-21.
[4] Romans, Nat. Hist. E. and W. Fla., pp. 97-98.

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Reed, which she sticks down by the side of his, when they are married; then they exchange Reeds, which are laid by as evidences or certificates of the marriage, which is celebrated with feasting, music and dancing; each one of their relations and friends, at the wedding, contributes something towards establishing the new family. As soon as the wedding is over, the town is convened, and the council orders or recommends a new habitation to be constructed for the accommodation of the new family; every man in the town joins in the work, which is begun and finished in a day's time.

"The greatest accomplishments to recommend a young man to his favourite maid, are to prove himself a brave warrior, and a cunning, industrious hunter.

"They marry only for a year's time, and, according to ancient custom, at the expiration of the year they renew the marriage; but there is seldom an instance of their separating after they have children. If it should so happen, the mother takes the children, under her own protection, though the father is obliged to contribute towards their maintenance during their minority and the mother's widowhood.

"The Museogulges allow of polygamy in the utmost latitude; every man takes as many wives as he chooses, but the first is queen, and others are handmaids and associates.

"It is common for a great man amongst them, who has already half a dozen wives, if he sees a child of eight or nine years of age, who pleases him, and he can agree with her parents or guardians, to marry her and take her into his house at that age."[1]

Swan also recognizes that there was a diversity in marriage rites:

"Courtship is always begun by proxy. The man, if not immediately acquainted with the lady of his choice, sends her his talk (as it is termed), accompanied with small presents of clothing, by some woman of her acquaintance. If the young woman takes his talk, his proxy then asks the consent of her uncles, aunts, and brothers (the father having no voice or authority in the business), which being obtained, the young woman goes to him, and they live together during pleasure or convenience. This is the most common mode of taking a wife, and at present the most fashionable.

"But if a man takes a wife conformably to the more ancient and serious custom of the country, it requires a longer courtship, and some established formalities.

"The man, to signify his wishes, kills a bear with his own hands, and sends a panful of the oil to his mistress. If she receives the oil, he next attends and helps her hoe the corn in her field; afterwards plants her beans; and when they come up, he sets poles for them to run upon. In the meantime he attends her corn, until the beans

[1] Bartram, Travels, pp. 513-515.

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not protract his consent longer than he can lay the proposal before her relations of the mother's side who are counted her mutual kinsmen and women, in which assembly the candidate's disposition and other qualities are discust. Neither the father nor any of the woman's father's family is ever consulted in the marriage of his children, as he and they are not of the same family, since the primogenitureship of all families descends from the mother. . . . . When the uncle or relation has informed the rest of his kindred or clansmen of the proposal of marriage and by whom made, and [has indicated] that he approves the proposed match the rest of the family seldom refuse their assent; there is no fuss made of fortune, position, or chattels on either side. After such consultation, if the suitor should visit their dwelling before they do him, he is informed of the family acquiescence, and the bridal bed being publicly made for the pair, there is a conclusion of the courtship and marriage. After the consummation of the marriage and he finds her in clothes, should she be the first wife formally married to him and passes the *Boss ke tah* with him she is received as his actual wife by his kinsfolks and all others. After the solemnization of the new corn feast passes over them she is bound to him in the conception of his family during life or his pleasure. . . . As polygamy is only admitted among the men by the wife's consent, they use a great deal of craft to obtain it, in order to keep clear of the crime of adultery. All his later wives have to stay at their homes unless his wife should conclude with herself to let one stay with her in the house and do all the drudgery of the place as a waiting maid. By his wife's consent he can take as many wives or concubines as he chooses to maintain, but should his wife disapprove of his having a concubine and he obtain one against her will his wife's relations or clanspeople have it in their power to beat him and his concubine or second wife with sticks and cut off both their ears, after which he is separated from his wife and he has to retain the one beaten on his account. Nevertheless he has it in his power to keep his old wife single for four years or four *Booske tahs* unless she should elope with a man and elude the vigilance of his clan to the ensuing *Booske tah*. Then she is clear of punishment for her adultery, and ever after she is finally separated from him and the control of his clanswomen."[1]

The information on this subject which Hitchcock gathered from the Tukabahchee Indians contains some items not given by anyone else. He says:

"A young man wishing to marry a girl to whom he has taken a fancy goes to an aunt or some near female connection of his own and tells her his wishes. She then goes to the aunt or some near connection of the girl and makes it known. This connection of the

[1] Riggins, Ms. Hist. Narr., pp. 21-22.

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584 585 girl then goes to the parents of the girl and tells the story. The girl is not consulted in the case. If the parents are willing, a time for the ceremony of marriage is appointed by the connections. At the time appointed an outer house or corn crib is selected near the girl's house and a bowl of sofkee (boiled corn) is placed under the projecting shed of the crib in sight from the house; and here the girl has the privilege of exerting a veto. The girl is informed of the whole business and if she chooses to allow the man to steal up and take a spoonful of sofkee without her seeing him, it is a marriage and the parties sleep the first night in the corn crib. This has been the old custom, but is going out of use. After the ceremony the young man is not allowed to visit the house of his wife by day for the period of a month, but must visit his wife after dark and go away before day. The sofkee part of the ceremony is now generally 595 dispensed with. If a married man takes another wife, the first wife may assent to it passively or, if she chooses, she may whip the woman, but in this case she must move away and yield all her rights to the latter, who becomes the principal wife. In this way the man may take as many women as he pleases and is able to support. The wife, in the exercise of her prerogative, has a right to the assistance of her female relations and when it is exercised the ceremony is severe and makes a lasting impression. The object is to disfigure their victim and the wife uses her nails, scratches the face of the new wife, and whips her with switches. (The severity of this ceremony must exercise a considerable restraint upon both husband and women, making it necessary to consult the wife in advance in order that her assent may be assured, before her rights are encroached upon. Alexander said he knew of a case (*saw it*—and heard the language) when a wife exercised her right, saying as she laid on the lash, "You think it is honey, but I will make it vinegar before I'm done with you.")[10]

585 "Among the Creeks" (says Claiborne), "the marriage ceremony is this: The man gives the woman a piece of venison or some kind of meat, and she gives him an ear of corn in the presence of witnesses. They are then man and wife, at least until the green-corn dance. Then the married couple are released if either of them thinks proper to break the contract. In such case the woman keeps the children."[11]

584 614 From the accounts obtained by myself it is evident that the regular marriage or "binding" was a clan (or rather exogamous group) affair and that it could be initiated by the clan of the youth or that of the girl. According to one statement the maternal uncles and cousins of a girl—i. e., the people of her clan—talked the matter over—probably at a clan council—and decided upon the young man who ap-

[10] Hitchcock, Ms. notes.
[11] Claiborne, Miss., vol. I, p. 492.

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585 prospective groom at least would now be a person of influence, able to make his wishes felt.

Swan is, as usual, the devil's advocate for the Creeks. He says that "marriage is considered only as a temporary convenience, not binding on the parties more than one year. . . .

"The married women are termed bound wenches—the single girls, free wenches. The least freedom with a bound wench is considered criminal, and invariably punished by the cropping law.

595 "A plurality of wives is allowed of—a mother and her two daughters are often kept by one man, at the same time; but this is most frequently by white traders, who are better able to support them. A large portion of the old and middle-aged men, by frequently changing, have had many different wives, and their children, scattered around the country, are unknown to them.

181 611 836 "Few women have more than two children by the same father; hence they have found the necessity of conferring the honors of chiefs and micos on the issue of the female line, for it would be impossible to trace the right by the male issue."[14]

Although there was no doubt an element of truth in this picture it is evident that Swan has magnified it very much, owing to his failure to understand the clan system and the collective terms in accordance with which people may be fathers, mother, sons, and daughters to each other in name but not in fact. The reason he gives for matrilineal descent is also offered by Bossu.[15] It is an old ex post facto explanation furnished sometimes by the Indians themselves and sometimes by their white chroniclers. It has no relation whatever to the sexual looseness of the people.

583 It will be observed that a tendency crops out here, which I also observed during my work upon the north Pacific coast, to the development of an official marriage and an unofficial yet tolerated union, and in both cases they may be traced to the same cause. The official marriage in the case of young people is made for, not by, them. It represents the kind of union which agrees with tribal convention and ought to be best for the prosperity of the clans concerned, for the tribe, and for the couple so married The parties thus mated are of the proper clans, the proper standing in the tribe, the proper age, and their virtues are such as to constitute a fair exchange. From all a priori considerations they are the mates for each other. Nevertheless, the serious blows which our conventions receive are signs that they are only conventions after all, and the same thing was true in primitive society. Thus it often happened that a couple which ought to agree did not, and in such cases it was frequently found necessary to undo what had been done. There can be no doubt that the frequency of divorce among many primitive peoples is

[14] Swan in Schoolcraft, Ind. Tribes, vol. v, p. 273 [15] Bossu, Nouv. Voy., vol. II, p. 21.